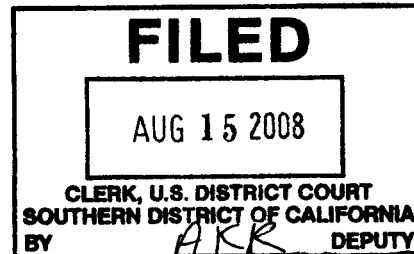


BRIAN P. FUNK ESQ.
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Attorney for Defendant,



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
SELVIN ALBERTO ALLEN)
)
Defendant.)

Crim No. 08CR 7008-H

**MOTION
FOR NEW COUNSEL
ON APPEAL**

Comes now Brian P. Funk, attorney of record who declares as follows:

1. I was Mr. Allens' attorney for trial. I have been instructed to file an appeal as to all issues.
2. Mr. Allen is contending ineffective assistance of Counsel as to this case and all of his other cases.
3. I therefore have an actual conflict and must ask for new Counsel to be appointed

I declare under penalty of perjury the foregoing is true.

August 15, 2008

S/a Brian P. Funk

A handwritten signature in black ink, appearing to be "B. Funk", written over a horizontal line.